

**DECLARATION, POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "Speculative Transmit for System Area Network Latency Reduction" the specification of which

- is attached hereto  
 was filed on September 27, 1000 as Application Serial No. 09/671,938  
and was amended on \_\_\_\_\_ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or U.S. provisional application(s) for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

**Prior Foreign/U.S. Provisional Application(s)**

			Priority Claimed	
(Number)	(Country)	(Day, month, year filed)	<u>XX</u> Yes	<u>      </u> No
(Number)	(Country)	(Day, month, year filed)	<u>      </u> Yes	<u>      </u> No
(Number)	(Country)	(Day, month, year filed)	<u>      </u> Yes	<u>      </u> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint : W. POMS, REG. 18,782; G.P. SMITH, REG. 20,142; G. E. LANDE, REG. 22,222; A.C. ROSE, REG. 17,047; L.J. BOVASSO, REG. 24,075; C. BERMAN, REG. 29,249; D.J. OLDENKAMP, REG. 29,421; C. DARROW, REG. 30,166; M.E. HARRIS, REG. 26,690; K.A. MACLEAN, REG. 31,118; C. ROSENBERG, REG. 31,464; M.E. BROWN, REG. 28,590; S.R. HANSEN, REG. 38,486; D.N. LARSON, REG. 29,401; J.W. INSKEEP, REG. 33,910; H.D. JASTRAM, REG.

19,777; B. CANTER, REG. 34,792; C.J. LERVICK, REG. 35,244; L. CULLMAN, REG. 39,645; C.A.S. HAMRICK, REG. 22,586; R.O. GUILLOT, REG. 28,852; J. BOYCE, REG. 40,920; C. CHOU, REG. 41,672; A.B. DIEPENBROCK III, REG. 39,960; M.K. BOSWORTH, REG. 28,186; L. SHERRY, REG. 43,918; L. McROSS, REG. 40,427; OPPENHEIMER WOLFF & DONNELLY LLP, 1400 Page Mill Road, Palo Alto, California 94304, (650) 320-4000, as my attorneys with full power of substitution and revocation, to prosecute said application and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities.

Address all telephone calls to Leah Sherry at (650) 320-4000 and address all correspondence to:

Leah Sherry, Esq.  
OPPENHEIMER WOLFF & DONNELLY LLP  
CUSTOMER NO. 25696  
1400 Page Mill Road  
Palo Alto, California 94304

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of Sole or First Inventor: William P. Bunton

Home Address: 900 Walter Street, Pflugerville, TX 78660

Post Office Address: Same as above

Citizenship: United States of America

Inventor's Signature: William P. Bunton Date: 12-15-00

Full Name of Second Inventor: David A. Brown

Home Address: 7637 Elkhorn Mountain Trail, Austin, TX 78729

Post Office Address: Same as above

Citizenship: United States of America

Inventor's Signature: David A. Brown Date: 1/2/01

Full Name of Second Inventor: John C. Krause

Home Address: 1310 East University Avenue, Georgetown, TX 78626

Post Office Address: Same as above

Citizenship: United States of America

Inventor's Signature: John C. Krause Date: 12/15/00



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 30, 2001

PTAS

OPPENHEIMER WOLFF & DONNELLY LLP  
LEAH SHERRY  
1400 PAGE MILL ROAD  
PALO ALTO CALIFORNIA 94304



\*101590771A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/08/2001

REEL/FRAME: 011435/0597  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

BUNTON, WILLIAM P.

DOC DATE: 12/15/2000

**ASSIGNOR:**

BROWN, DAVID A.

DOC DATE: 01/02/2001

**ASSIGNOR:**

KRAUSE, JOHN C.

DOC DATE: 12/15/2000

**ASSIGNEE:**

COMPAQ COMPUTER CORPORATION  
P.O. BOX 692000  
20555 SH 249  
HOUSTON, TEXAS 77070-2698

SERIAL NUMBER: 09671938  
PATENT NUMBER:

FILING DATE: 09/27/2000  
ISSUE DATE:

2020.6.01/15

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DOROTHY BASMA, PARALEGAL  
ASSIGNMENT DIVISION  
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01-23-2001



U.S. Department of Commerce

Form PTO-1595  
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Docket No. 20206-0115 (Colorado II/Ship)

101590771

To the Hon. Commissioner of Patents &amp; Trademarks, Please return the attached original documents or copy thereof.

T

1. Name of conveying party(ies):  William P. Bunton, David A. Brown and John C. Krause  Additional name of conveying party attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies):  Name: Compaq Computer Corporation Address: P.O. Box 692000 20555 SH 249 City: Houston State: TX ZIP: 77070-2698  Additional name(s) and address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment	
Execution Date: December 15, 2000 and January 2, 2001	

## 4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/671,938

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address party to whom correspondence concerning document should be mailed:  Name: Leah Sherry Oppenheimer Wolff & Donnelly LLP  Street Address: 1400 Page Mill Road City: Palo Alto State: California ZIP: 94304	6. Total number of applications and patents involved: <u>1</u>
	7. Total fee (37 CFR 3.41) <u>\$40.00</u>  <input checked="" type="checkbox"/> Enclosed  <input checked="" type="checkbox"/> Any discrepancy or overpayment is authorized to be charged to deposit account
	8. Deposit Account number: 02-3964  (Attach duplicate copy of this page if paying by deposit account)

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Leah Sherry, Reg. No. 43,918

Name of Person Signing

Signature

Jan. 5, 2001

Date

Total number of pages including cover sheet, attachments, and document: 5

1/22/2001 GTDN11 00000035 09671938

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SV: 171959 v01 01/04/2001

**ASSIGNMENT**

WHEREAS, We, William P. Bunton, David A. Brown and John C. Krause, are joint inventors of "**Speculative Transmit for System Area Network Latency Reduction**" application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, COMPAQ COMPUTER CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over the COMPAQ COMPUTER CORPORATION, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ COMPUTER CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ COMPUTER CORPORATION, as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ COMPUTER CORPORATION, its successors, assigns, or other legal representatives and that if COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representative shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when

requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

Inventor's Signature: William P. Bunton Date: 12-15-00

Typed Name: William P. Bunton

Home Address: 900 Walter Street, Pflugerville, TX 78660

Citizenship: United States of America

Inventor's Signature: David A. Brown Date: 1/2/01

Typed Name: David A. Brown

Home Address: 7637 Elkhorn Mountain Trail, Austin, TX 78729

Citizenship: United States of America

Inventor's Signature: John C. Krause Date: 12-15-00

Typed Name: John C. Krause

Home Address: 1310 East University Avenue, Georgetown, TX 78626

Citizenship: United States of America

Texas  
STATE OF CALIFORNIA )  
Travis ) ss.  
COUNTY OF SANTA CLARA )

NOTARIAL CERTIFICATE

On 12-15-00 before me, Janet Gorman, a notary public, personally appeared William P. Burton personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SEAL



Janet Gorman  
Notary Public

Texas  
STATE OF CALIFORNIA )  
Travis ) ss.  
COUNTY OF SANTA CLARA )

NOTARIAL CERTIFICATE

On 12-15-00 before me, Janet Gorman, a notary public, personally appeared John C. Krause personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SEAL



Janet Gorman  
Notary Public

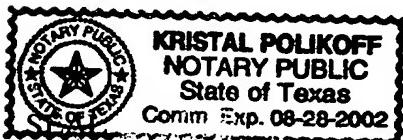
Texas  
STATE OF CALIFORNIA  
Travis  
COUNTY OF SANTA CLARA

NOTARIAL CERTIFICATE

)  
ss.  
)

On 1-2-01 before me, Kristal D. koff, a notary public, personally appeared David H. Brown personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Kristal D. koff  
Notary Public